The Planning Inspectorate

QUESTIONNAIRE (s78) and (s20) PLANNING AND LISTED BUILDING CONSENT (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter. You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan. If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us by the date your statement is due.

<table>
<thead>
<tr>
<th>Appeal Reference</th>
<th>APP/U1105/W/17/3183352</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appeal By</td>
<td>STUART PARTNERS LTD</td>
</tr>
<tr>
<td>Site Address</td>
<td>Land at The Gap Lower Broad Oak Road West Hill EX11 1UD Grid Ref Easting: 307378 Grid Ref Northing: 93589</td>
</tr>
</tbody>
</table>

**PART 1**

1.a. Do you consider the written representation procedure to be suitable?  Yes ☑ No ☐

*Note: If the written procedure is agreed, the Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.*

2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land?  Yes ☐ No ☑

2.b. Is it essential for the Inspector to enter the site to assess the impact of the proposal?  Yes ☑ No ☐

2.c. Are there any known health and safety issues that would affect the conduct of the site inspection?  Yes ☑ No ☐

3.a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State?  Yes ☑ No ☐

3.b. Are there any other appeals or matters adjacent or close to the site still being considered by us or the Secretary of State?  Yes ☑ No ☐

**PART 2**

4. Does the appeal relate to an application for approval of reserved matters?  Yes ☑ No ☐

5. Was a site ownership certificate submitted with the application?  Yes ☑ No ☐

6. Did you give publicity to the application in accordance with either Article 15 of the DMPO 2015, Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990?  Yes ☑ No ☐
6. a. If a press advert notice was published, please upload a copy
☐ see ‘Questionnaire Documents’ section

7. Does the appeal relate to a county matter? Yes □ No ☑

8. Please indicate the development type for the application to which the appeal relates.
   Major Developments □
   Minor Developments ☑
   Other Developments □

8.b. Minor Developments
   Dwellings ☑
   Offices/R and D/light industry □
   General industry/storage/warehousing □
   Retail and services □
   Traveller caravan pitches □
   All other minor developments □

Is the appeal site within:

9.a. A Green Belt? Yes □ No ☑

9.b. An Area of Outstanding Natural Beauty? Yes □ No ☑

10. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? Yes □ No ☑

PART 3

11. Would the development require the stopping up or diverting of a public right of way? Yes □ No ☑

12.a. Is the site in a Conservation Area? Yes □ No ☑

12.b. Is the site adjacent to a Conservation Area? Yes □ No ☑

12.c. Does the appeal proposal include the demolition of a non-listed building within a conservation area? Yes □ No ☑

13.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building? Yes □ No ☑

13.b. Would the proposed development affect the setting of a listed building? Yes □ No ☑

14. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953? Yes □ No ☑

15.a. Would the proposals affect an Ancient Monument (whether scheduled or not)? Yes □ No ☑

16. Is any part of the site subject to a Tree Preservation Order? Yes ✓ No □

Please send a plan showing the extent of the Order and any relevant details.
☐ see ‘Questionnaire Documents’ section

17. Have you made a Local Development Order under s61A to 61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning & Compulsory Purchase Act 2004) relating to the application site? Yes □ No ☑
18. Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority?  
[Yes ☑ No ☐]

19.a. Is the appeal site in or adjacent to or likely to affect an SSSI or an internationally designated site (i.e. cSAC, SAC, pSPA, SPA Ramsar)?  
[Yes ☑ No ☐]

19.b. Are any protected species likely to be affected by the proposals?  
[Yes ☑ No ☐]

**PART 4**

**Environmental Impact Assessment - Schedule 1**

20.a.i. Is the proposed development Schedule 1 development as described in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?  
[Yes ☑ No ☐]

**Environmental Impact Assessment - Schedule 2**

20.b.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?  
[Yes ☑ No ☐]

20.c.i. Have you issued a screening opinion (SO)  
[Yes ☑ No ☐]

**Environmental Impact Assessment - Environmental Statement (ES)**

20.d. Has the appellant supplied an environmental statement?  
[Yes ☑ No ☐]

**Environmental Impact Assessment - Publicity**

20.e. If applicable, please attach a copy of the site notice and local advertisement published as required for EIA development.  
[Applies ☑ N/A ☐]

21. Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place?  
[Yes ☑ No ☐]

Please attach copies of any comments that you have received in response.  
☑ see 'Questionnaire Documents' section

**PART 5**

22. Do you wish to attach your statement of case?  
[Yes ☑ No ☐]

For appeals dealt with by written representations only

23. If this appeal is not following the written representations expedited procedure, do you intend to send a statement of case about this appeal?  
[Yes ☑ No ☐]

If no, please supply where appropriate

23.a. a full list of the plans submitted with the application;  
[☐]

23.b. the relevant planning history;  
[☐]

23.c. what the decision notice would have said if it was a non-determination;  
[☐]

23.d. relevant development plan policies;  
[☐]
Copies of the following documents must, if appropriate, be attached to this questionnaire

24.a. a copy of the letter with which you notified people about the appeal;
   ✔
   see 'Questionnaire Documents' section

24.b. a list of the people you notified and the deadline you gave for their comments to be sent to us;
   ✔
   see 'Questionnaire Documents' section

Deadline

27/12/2017

24.c. all representations received from interested parties about the original application;
   ✔
   see 'Questionnaire Documents' section

24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;
   ✔
   see 'Questionnaire Documents' section

24.e. any representations received as a result of a service of a site ownership notification;
   □
   see 'Questionnaire Documents' section

24.f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan);
   ✔
   You must include the front page, the title and date of the approval/adoptions, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination.
   see 'Questionnaire Documents' section

List of policies

EDLP Policies D1, D3 & TC7 and Strategies 7 & 46. East Devon Villages Plan examination doc.

24.g. extracts of any relevant policies which have been 'saved' by way of a Direction;
   □

24.h. extracts from any supplementary planning guidance, that you consider necessary, together
   with its status, whether it was the subject of public consultation and consequent modification,
   whether it was formally adopted and if so, when;
   □

24.i. extracts from any supplementary planning document that you consider necessary, together
   with the date of its adoption;
   □
   In the case of emerging documents, please state what stage they have reached.

24.j. a comprehensive list of conditions which you consider should be imposed if planning
   permission is granted;
   □
   Only tick that this applies if you intend to submit a list of conditions with the questionnaire. If you do not submit the list with the questionnaire, then this should be submitted by the date your statement is due. This list must be submitted separately from your appeal statement.

24.k. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has
   been examined and found sound/met the basic conditions and passed a referendum, the date the
   DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the
   Inspector's decision on this appeal is issued, an explanation of the Council's policy position in
   respect of this appeal upon its adoption. You should also include an explanation of the status of
   existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be
   superseded;
   □

24.l. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination,
   or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an
   explanation of any substantive changes in the progress of the emerging plan, and their relevance to
   this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this
   appeal is issued;
24.m. your Authority's CIL charging schedule is being/has been examined; □
24.n. your Authority's CIL charging schedule has been/is likely to be adopted; ✔

Please provide the date of adoption: 20/04/2016

24.o. any other relevant information or correspondence you consider we should know about. □

**For the Mayor of London cases only**

25.a. Was it necessary to notify the Mayor of London about the application? Yes □ No □
25.b. Did the Mayor of London issue a direction to refuse planning permission? Yes □ No □

**LPA Details**

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today. ✔

LPA’s reference 17/0523/OUT

Completed by R Capon

On behalf of East Devon District Council

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name
Phone no (including dialling code)
Email

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.
The documents listed below were uploaded with this form:

<table>
<thead>
<tr>
<th>Section</th>
<th>Document Description</th>
<th>File name</th>
</tr>
</thead>
<tbody>
<tr>
<td>PART 2</td>
<td>6.a. A copy of the notice published.</td>
<td>press ad..pdf</td>
</tr>
<tr>
<td>PART 3</td>
<td>16. A plan showing the extent of the Order and any relevant details.</td>
<td>TPO.pdf</td>
</tr>
<tr>
<td>PART 4</td>
<td>21. Copies of any comments that you have received in response.</td>
<td>consultee comments.pdf</td>
</tr>
<tr>
<td>PART 5</td>
<td>24.a. A copy of the letter with which you notified people about the appeal.</td>
<td>appeal notification letter..pdf</td>
</tr>
<tr>
<td>PART 5</td>
<td>24.b. A document containing a list of the people you notified of the appeal.</td>
<td>appeal notification letter..pdf</td>
</tr>
<tr>
<td>PART 5</td>
<td>24.c. Copies of all representations received from interested parties about the original application.</td>
<td>third party comments.pdf</td>
</tr>
<tr>
<td>PART 5</td>
<td>24.d. The planning officer's report to committee or delegated report on the application and any other relevant documents/minutes.</td>
<td>committee report.pdf</td>
</tr>
<tr>
<td>PART 5</td>
<td>24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;</td>
<td>committee minutes.pdf</td>
</tr>
<tr>
<td>PART 5</td>
<td>24.f. Copies of extracts from any relevant statutory development plan policies.</td>
<td>new local plan cover.pdf</td>
</tr>
<tr>
<td>PART 5</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Document Description:</strong></td>
<td>24.f. Copies of extracts from any relevant statutory development plan policies.</td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>File name:</strong></td>
<td>Policy D1(n).pdf</td>
<td></td>
</tr>
<tr>
<td><strong>File name:</strong></td>
<td>Policy D3 (n).pdf</td>
<td></td>
</tr>
<tr>
<td><strong>File name:</strong></td>
<td>Policy TC7(n).pdf</td>
<td></td>
</tr>
<tr>
<td><strong>File name:</strong></td>
<td>Strategy 7 (n).pdf</td>
<td></td>
</tr>
<tr>
<td><strong>File name:</strong></td>
<td>Strategy 46 (n).pdf</td>
<td></td>
</tr>
<tr>
<td><strong>File name:</strong></td>
<td>villages plan examination doc..pdf</td>
<td></td>
</tr>
<tr>
<td><strong>Completed by:</strong></td>
<td>Not Set</td>
<td></td>
</tr>
<tr>
<td><strong>Date:</strong></td>
<td>28/11/2017 14:39:32</td>
<td></td>
</tr>
<tr>
<td><strong>LPA:</strong></td>
<td>East Devon District Council</td>
<td></td>
</tr>
</tbody>
</table>